

REQUEST FOR PROPOSALS

FINANCIAL CONSULTING SERVICES



CALIFORNIA HIGH SPEED RAIL AUTHORITY

RFP #HSR10-34
State of California

April 2011

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I. Introduction

PURPOSE OF RFP

The purpose of this Request for Proposal (RFP) is to select a contractor to assist the Authority in preparing a financial analysis plan that builds upon previous financial plans. The Authority is seeking a contractor with particular strengths in the technical, administrative and project management aspects of Financial Consulting Services from qualified firms that may lead to the award of a contract. This includes developing a robust portfolio of potential funding sources necessary to meet significant funding requirements, and the development of a financial analysis tool that takes into account the most current funding and credit enhancement opportunities.

BACKGROUND

As the California High-Speed Rail Project (Project) is moving into a new phase and as Federal Funding (ARRA funding) has become a new variable to the previously envisaged project funding, the Authority has decided to invite Contractors to bid for their services based on the new requirements of the Project.

Implementing a high-speed train network in California is the sole and exclusive responsibility of the California High-Speed Rail Authority (Authority) established by Chapter 796 of the Statutes of 1996 (SB 1420/Kopp and Costa). The Authority is responsible for preparing a plan, conducting environmental studies, design, construction and operation of a high-speed passenger train network in California.

AVAILABLE FUNDING

There is up to \$2,500,000.00 available for the contract resulting from this RFP. The resulting contract term is two years, with a one-year option to renew. This is an hourly rate plus cost reimbursement contract with a ceiling on the total contract amount. The contract award will be made to the responsible Bidder with the highest combined weighted technical and cost scores among qualifying proposals. See Section IV, Evaluation Process and Criteria.

The Authority reserves the right to reduce the amount of the 2010/2011 funding to an amount deemed appropriate if the budgeted funds do not provide full funding of Authority contracts. In this event, the Contractor and Authority Contract Manager shall meet and reach agreement on a reduced scope of work commensurate with the level of available funding.

I. INTRODUCTION, CONTINUED

KEY ACTIVITIES AND DATES

Key activities and times for this RFP are presented below. This is a tentative schedule; please call the Contracts Office to confirm dates.

ACTIVITY	ACTION DATE
RFP Release	April 7, 2011
Deadline for Written Questions	April 14, 2011
Deadline to Submit Proposals by 4:00 p.m.	April 18, 2011
Mandatory Interviews	April 26, 2011
Notice of Proposed Award	April 29, 2011
Contract Start Date	May 9, 2011
Contract Termination Date	June 30, 2013

QUESTIONS

During the RFP process, questions of clarification about this RFP must be directed to the Contracts Officer listed in the following section. All questions concerning this RFP must be submitted in writing and received by 5:00 p.m. (PDT), April 14, 2011, (letter, fax or e-mail) to the attention of Elizabeth Stone, estone@hsr.ca.gov, or by fax (916) 322-0827.

All questions or communications related to this RFP shall be addressed to Ms. Stone, AND **NOT** Authority members or other staff.

The integrity of the selection process is of the utmost importance to the Authority. Failure to comply with the stated process will most likely result in disqualification.

Any verbal communication with an Authority employee concerning this RFP is not binding on the State and shall in no way alter a specification, term, or condition of the RFP.

CONTACT INFORMATION

Elizabeth Stone, Contracts Officer
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, California 95814
Telephone: (916) 431-2929
FAX: (916) 322-0827
E-mail: estone@hsr.ca.gov

I. INTRODUCTION, CONTINUED

RESPONSES TO THIS RFP

Responses to this solicitation shall be in the form of an Administrative Proposal and Technical and Cost Proposal according to the format described in this RFP. The Administrative Proposal shall provide the required administrative documentation as described in this RFP, and the Technical and Cost Proposal shall document the Bidder's experience, qualifications, management capabilities, project organization, technical expertise, etc., and cost to perform the tasks described in the Scope of Work.

II. BACKGROUND

Implementing a high-speed train network in California is the sole and exclusive responsibility of the California High-Speed Rail Authority (Authority) established by Chapter 796 of the Statutes of 1996 (SB 1420/Kopp and Costa). The Authority is responsible for preparing a plan, conducting environmental studies, design, construction and operation of a high-speed passenger train network in California.

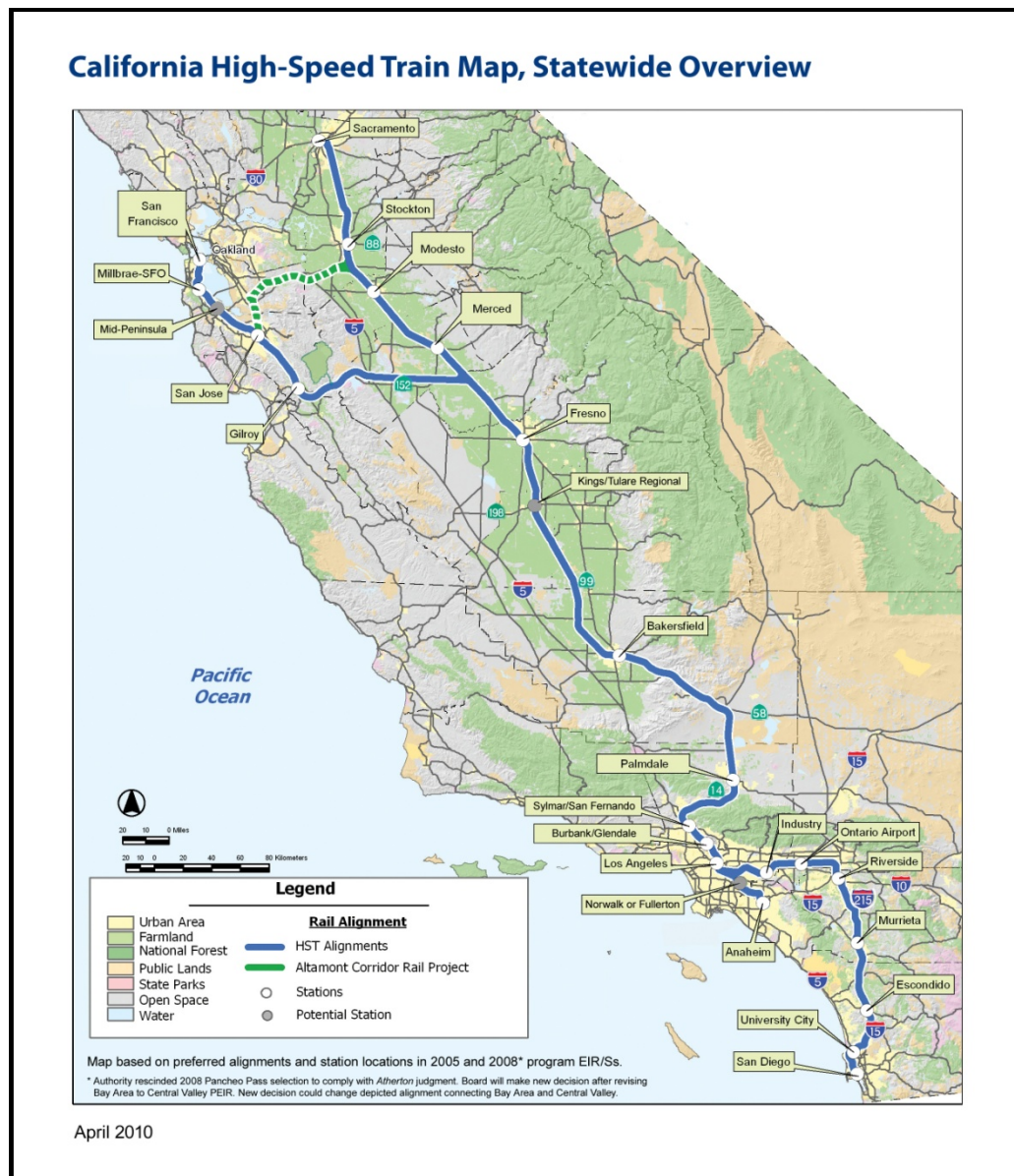
The Authority, in cooperation with the Federal Railroad Administration (FRA), has completed and certified a program level environmental document for a high-speed train (HST) network over 800 miles long which connects the major metropolitan areas of the state (see Figure 1). The proposed HST system stretches from San Francisco and Sacramento in the north –the Central Valley with service throughout -- to Los Angeles and Anaheim, and serving San Diego via the Inland Empire. With electrified, steel-wheel-on-steel rail trains operating at speeds up to 220 mph, the express travel time from downtown San Francisco to Los Angeles will be about 2 hours. 40 minutes. Intercity travelers (trips between metropolitan regions) along with longer-distance commuters would enjoy the benefits of a system designed to complement and connect with existing passenger rail, air and highway systems. The system is forecast to carry up to 100 million passengers per year by 2035.

The High-Speed Train Alternative is the selected system alternative and was identified as the environmentally preferred alternative under the National Environmental Policy Act (NEPA) as well as the environmentally superior alternative under the California Environmental Quality Act (CEQA). To serve the same number of travelers that the high-speed train system is projected to carry by 2020, California would have to build nearly 3,000 lane-miles of freeway, plus five new airport runways and 90 departure gates at a cost two to three times more than high-speed train proposal. The report concluded that high-speed trains can decrease the state's dependency on foreign oil, reduce energy consumption, decrease air pollutants, and discourage sprawl while having less impact on the natural environment than expanding highways and airports.

The Authority is moving forward to complete Phase 1 of the HST system and place in operation by 2020. It is recognized by the general public and the State leadership that the scale of this project requires a large component of public financing, both State and Federal, but it is also the objective of the program to leverage private investment wherever possible and maximize the opportunities for public/private partnerships (PPP's).

II. BACKGROUND, CONTINUED

Figure 1



Since 2006/07 the State of California has provided over \$200 million to the Authority to initiate and advance the project implementation. Work included the development of initial financing plans, preliminary engineering design and project environmental work, and identification of critical right-of-way acquisitions. In November 2008 California State Bond funding for the project to the value of \$9.95 billion was approved through the passage of Proposition 1A. In February 2010 the project received an ARRA (American Recovery and Reinvestment Act) allocation of \$2.25 billion from the Federal Government which is administered through the Federal Railroad Administration (FRA). The Authority has estimated \$464.3 million will be needed to continue to move the HST

II. BACKGROUND, CONTINUED

system forward in the current fiscal year with the expectation that construction will begin in 2012.

Construction of Phase I the HST in California is estimated to cost \$43 billion at the time of build. This would make the system one of the largest public works undertakings in the history of California, and would likely be the largest project in the nation at the time of its construction. A robust portfolio of potential construction funding sources is necessary to meet these significant funding requirements.

The Authority's Implementation Plan asserts that the design-build or design-build-operate relationship with a private partner would be the most appropriate approach for the large civil works construction contracts, the project delivery analysis must be further defined to a certain extent in support of the financing plan and to gain public confidence in the project.

The implementation of a statewide HST system is a significant undertaking that requires expert technical assistance to serve as technical advisors, managers and act as the administrator under the direction of the Chief Executive Officer. The complexity of the overall task requires a team of technical experts in finance, institutional constraints and opportunities, constitutional or statutory restrictions and opportunities, and economic impact analysis.

III. Scope of Work and Deliverables

ABOUT THIS SECTION

This section describes the Phase1 project planning contract scope of work, deliverables and due dates under the direction of the Authority Contract Manager (ACM). The following describes the contractor's responsibilities, specific tasks and deliverables to be performed.

GOALS AND OBJECTIVES

The contractor shall be responsible for providing advisory services to develop financial analyses to support planning efforts and potential procurement and investment structures for the overall project and individual sections. These services will assist the Authority in carrying out the work plan outlined in the 2009 Business Plan.

The contractor shall prepare an overall financial plan in connection with the Authority's submission to the Legislature by October 14, 2011 of a biennial business plan. In addition, the contractor will be responsible for preparing financial plans as required by Proposition 1A for individual sections of the system as the decision makers approve the final environmental documents and select final alternatives. The Records of Decision/Notices of Determination (ROD/NOD) for the first sections of the system to be constructed in the Central Valley are expected to be completed in February 2012 with the financial plan to be prepared by September 15, 2011. The contractor will provide strategies and analysis for obtaining funding for implementation of the system, including individual sections of the system.

The 10 individual sections are:

- San Francisco to San Jose,
- San Jose to Merced,
- Merced to Sacramento,
- Merced to Fresno,
- Fresno to Bakersfield,
- Bakersfield to Palmdale,
- Palmdale to Los Angeles,
- Los Angeles to Anaheim,
- Los Angeles to San Diego, and
- Altamont Pass

A financial analysis must be developed taking into account the most current funding and credit enhancement opportunities. The impact of revised ridership forecasts, markets served, alternative assumptions regarding project phasing, the potential for high speed freight service, as well as innovative approaches to right-of-way optimization will also require further financial analysis.

III. SCOPE OF WORK AND DELIVERABLES CONTINUED

The Contractor shall further define the project delivery analysis to a certain extent in support of the financing plan and to gain public confidence in the project.

The Authority may exercise review and approval functions through its Chief Executive Officer throughout the project for the specific products and deliverables listed herein.

TASKS

The Contractor shall include the following tasks and deliverables in the Scope of Work for the proposed program. The Contractor shall plan for the completion of these required tasks in the proposed program budget and schedule. The Contractor shall describe how the subcontractors, including DVBE's will be involved in each task.

1. Contractor shall produce the products and services necessary to meet the scope of work. Within 30 days of notification that the contract has been approved and notification to proceed has been provided by the Authority's Project Manager, the Contractor and the Authority shall confirm the project policy objectives and priorities; and agree upon a management plan with detailed tasks, deliverable, schedule and budget.
2. Beginning with the Fresno to Bakersfield section, the Contractor shall develop a section assessment and prepare a section-level financial analysis followed by assessments and financial analyses for each remaining section within the planned system. The plans shall include section development options and cash-flow analyses.
3. The Contractor shall participate in informational meetings with the Ridership and Revenue Model Enhancement, Peer Review Panel, other governmental entities as necessary, UC Davis contractors and others to facilitate timely coordination of effort, identify and address issues of concern, and share information.
4. The Contractor shall assess the existing financial plan, key data sources, and assumptions and identify potential gaps. The Contractor shall prepare a draft report that includes the findings and recommendations, and submit to the ACM for review and comment. The Contractor shall incorporate and submit any agreed-upon changes in a final report.
5. The Contractor shall define the project delivery analysis in support of the overall financing plan to gain public confidence in the project.
6. The Contractor shall evaluate procurement delivery models (i.e., design-bid-build vs. design-build, etc.) based on section market information and will include an assessment of time, cost and quality risks for each delivery model, and a prospective allocation of risks to each party. The Contractor shall prepare an analysis of the procurement options for each section.

III. SCOPE OF WORK AND DELIVERABLES CONTINUED

7. The Contractor shall identify prospective financing tools and programs, including, but not limited to, government programs, bonds, private lending and private equity. The Contractor shall prepare and present a draft report to the ACM for review and comment that explains the advantages and disadvantages of each program. The Contractor shall prepare and submit a final report incorporating any agreed-upon changes.
8. The Contractor shall identify prospective financing tools and programs, including, but not limited to, government programs, bonds, private lending and private equity. The Contractor shall prepare and present a draft report to the ACM for review and comment that explains the advantages and disadvantages of each program. The Contractor shall prepare and submit a final report incorporating any agreed-upon changes.
9. The Contractor shall finalize the analyses, prepare an overall financial plan and submit it as part of a draft report to the ACM for review and comment. The Contractor shall submit a final report incorporating any agreed-upon changes. The financial plan will be included in the Authority's biennial business plan, which is due October 14, 2011.
10. All financial analysis data, products, charts, and other documents, hardcopy and electronic, prepared or assembled by Contractor/Team in connection with the service under this agreement shall be the property of the Authority. Within 15 days of completion of the work, or earlier termination of this agreement, the Contractor shall deliver all copies and documentation to the Authority.

CONTRACT MANAGEMENT

Key contract management tasks include, but are not limited to: a kickoff meeting, monthly progress reports, and a final report and final meeting.

Kickoff Meeting

The Contractor shall attend a "kick-off" meeting with the Authority Contract Manager (ACM), and Contracts Officer. The Contractor's Project Manager, Contract Administrator, and Accounting Officer shall attend this meeting. The administrative and technical aspects of this contract will be discussed. Prior to the kick-off meeting, the ACM will provide an agenda to all potential meeting participants. The ACM shall designate the date and location of this meeting.

The administrative portion of the meeting shall include, but not be limited to, the following:

- Terms and conditions of the Agreement
- Invoicing

III. SCOPE OF WORK AND DELIVERABLES CONTINUED

The technical portion of the meeting shall include, but not be limited to, the following:

- The Authority Contract Manager's expectations for accomplishing tasks described in the Scope of Work;
 - An updated Schedule of Deliverables
- Processes for submitting, reviewing and approving Progress Reports, Task Deliverables and Final Report

Monthly Progress Reports

The goal of this task is to periodically verify that satisfactory and continued progress is made towards achieving the objectives of the project.

The Contractor shall:

Prepare monthly progress reports shall include major milestones, project schedules, progress by task to date, description of the progress, including identification of problems, proposed solutions and revised completion dates if necessary. The progress shall also indicate, in percentage form for each task, the amount of work completed and the budget expended to date, and any anticipated cost overruns. Each progress report is due to the ACM within 15 working days after the end of the reporting period.

Final Report and Final Meeting

The goal of this task is to prepare a comprehensive written Final Report that describes the original purpose, approach, results and conclusions of the work performed under this contract. The Contractor shall submit a draft final report for review and comment by the ACM. The Contractor shall review recommendations for changes to the report with the ACM and incorporate the agreed-upon changes into the final version of the report. The Final Report must be completed on or before the termination date of the contract.

The Contractor shall meet with the Authority to discuss the overall contract and its closeout. The final meeting must be completed during the term of this Agreement. The ACM will determine the appropriate meeting participants. At the end of the meeting, the Contractor shall prepare a written summary of the meeting, and a schedule for completing closeout activities.

III. SCOPE OF WORK AND DELIVERABLES CONTINUED

SCHEDULE OF DELIVERABLES AND DUE DATES

Task	Deliverable	Estimated Due Date
1	Kickoff Meeting with the Authority	5/11/11
2	Participate in Meetings with Appropriate Agencies, Groups, and Consultants	Ongoing
3	Prepare Detailed Management Plan	5/27/11
4	Prepare an Assessment Report of the Existing Financial Plan	6/10/11
5	Define Project Delivery Analysis	6/10/11
6	Develop Section Assessments and Financial Analyses	7/1/11
7	Prepare Procurement Delivery Analysis	7/22/11
8	Prepare Section Development Options Draft Report	8/1/11
9	Prepare Section Development Option Final Report	8/15/11
10	Prepare Overall Financial Plan for inclusion in the October 14, 2011 Business Plan	9/1/11
11	Prepare Section Financial Plans	9/15/11 (first section) (ongoing)
12	Identify Prospective Financing Tools and Programs	2/1/12
13	Prepare Draft Financial Report for Review and Comment	TBD
14	Prepare Final Financial Report	TBD
15	Submit Monthly Contract Management Reports	15 th of the Month

IV. Evaluation Process and Criteria

ABOUT THIS SECTION

This section explains how the proposals will be evaluated. It describes the evaluation stages, preference points, and scoring of all proposals. A Bidder's proposal will be evaluated and scored based on its response to the information requested in this RFP.

The entire evaluation process from receipt of proposals to the posting of the Notice of Proposed Award is confidential.

PROPOSAL EVALUATION

To review all proposals, the Authority will organize an Evaluation Committee. The identity of the evaluators will be kept confidential during the selection process. The Authority reserves the right to solicit technical input from other internal and external sources. This technical input will be utilized by the Evaluation Committee during the evaluation of the proposals. The proposals will be reviewed in two stages:

Stage One: Fulfillment of RFP Mandatory Format

After the period has closed for receipt of proposals, each proposal received prior to the time and date set for receipt of proposals is opened and examined to determine compliance with the RFP format requirements and grounds for rejection. If a proposal is not rejected for reasons stated in Grounds for Rejection, it may still be rejected if it does not meet the proposal format requirements or minimum administrative requirements.

Stage Two: Evaluation of Proposals

The Evaluation Committee will evaluate and score all remaining proposals based on the Evaluation Criteria, Exhibit A. The Evaluation Committee may, at its discretion, seek clarification of any point in the written technical proposal through a conference call or interview with the affected bidder. Proposals must attain 85 percent of the combined possible total points in the technical and costs sections to be considered for the interviews. After the technical and cost evaluation, those bidders who pass the minimum required technical score of 680 points (85%) will be scheduled for an interview by the Committee. **Those bidders not meeting the minimum technical score of 680 points will not be interviewed.**

Bidders passing the technical and cost evaluation will be scheduled for an interview to be conducted at the Authority headquarters, 770 L Street, Suite 800, Sacramento, California. The Evaluation Committee will use patterned questions to conduct the interviews. Bidder responses will be scored in accordance with the criteria contained in pages 13-15. All scores are final at this time.

IV. EVALUATION PROCESS AND CRITERIA CONTINUED

The contract will be awarded to the Bidder who meets the minimum administrative requirements and who has the highest technical and cost scores when the preference points (if applicable) are applied

HOW WILL MY PROPOSAL BE SCORED?

The Evaluation Committee will award points based upon the information provided in the Bidder's Proposal according to the following scoring scale.

Scoring Scale

The Evaluation Committee will score each Proposal independently. The scores will then be multiplied by a weighting factor to obtain the total points for that criterion. The final score for each Bidder will reflect the average of the combined scores of all Evaluation Committee members. Scores will be assigned in accordance with the following guidelines:

0 Points	<ul style="list-style-type: none">✓ Is not in substantial accord with the RFP requirements.✓ Has a potential significant effect on the amount paid or net cost to the State or the quality or quantity of product and/or service.✓ Provides an advantage to one competitor over the other competitors, for example, not paying minimum wages.
1-3 Points	<ul style="list-style-type: none">✓ The proposal states a requirement, but offers no explanation of how or what will be accomplished.✓ The response contains a technical deficiency which is an inaccurate statement or reference concerning the how, what, where, or when, which is part of an overall statement or description.
4-6 Points	<ul style="list-style-type: none">✓ Satisfies the minimum requirements and describes generally how and/or what will be accomplished.
7-9 Points	<ul style="list-style-type: none">✓ Satisfies the minimum requirements and specifically describes how and/or what will be accomplished in an <u>exemplary manner</u>, using sample products and illustrative materials (i.e., diagrams, charts, graphs, etc.).
10 Points	<ul style="list-style-type: none">✓ Exceeds the minimum requirements and specifically describes how and/or what will be accomplished both quantitatively and qualitatively, using sample products and illustrative materials (i.e., diagrams, charts, graphs, etc.).

IV. EVALUATION PROCESS AND CRITERIA CONTINUED

Technical Evaluation Criteria	Weight Factors	X	Max Points (0-10)	Weighted Score
1. Approach to Tasks in Scope of Work				
<ul style="list-style-type: none"> Completeness and thoroughness of proposal (addresses all of the tasks defined). Recommended approach to meet project objectives. Proposal demonstrates the ability to complete all aspects of the project. Proposal demonstrates experience in administering contract costs, maintaining schedules, and quality control of deliverables. Proposal demonstrates clear understanding of project and deliverables to meet project goals. 	10			
2. Contractor / Team Experience and Qualifications				
<ul style="list-style-type: none"> Proposal demonstrates efficient contract management and administrative methods. Proposal provides an appropriate and effective contract management team with experience in financial planning. Demonstrates effective and appropriate project management. Proposal demonstrates clear roles and responsibilities among team. Project team education and experience are relevant to the requirements of the scope of work. Team has prior experience working together. Project management team demonstrates commitment and availability. Project team experience in working with state agencies. References exhibit past satisfactory performance 	10			
3. Responsiveness to Project Requirements				
<ul style="list-style-type: none"> Proposal demonstrates a thorough knowledge of the project in its current state of development. Proposal demonstrates understanding of necessary steps required to develop a robust financial strategy. Proposed strategy presents a clear and logical framework. Proposal illustrates knowledge and understanding of federal, state, regional, local and general public issues relative to project. Scope of Work is specific, specific, and consistent with State objectives. Proposal clear understanding of contract terms and conditions. 	25			
4. Example of Prior Work				
<ul style="list-style-type: none"> Ability to deliver relevant, meaningful work products, financial analysis is easily understood. 	5			
Minimum Points			425	
Maximum Points			500	

IV. EVALUATION PROCESS AND CRITERIA CONTINUED

5. Cost				
<ul style="list-style-type: none"> Hourly rates and total hours are reasonable and appropriate to complete each task. Fully loaded fees are appropriate and reflective of industry standards. Budget is consistent with Scope of Work. Demonstrates policies to reduce costs (including travel) to the State. Budget allocations are appropriately and adequately justified. 	30			
Total Cost Score			300	
Total Technical Score (From Above)			500	
Total Technical and Cost Evaluation Score			800	

Minimum points required to participate in Interviews: 680 (85%) Proposals not attaining a minimum score from the Technical section will be eliminated from further competition.

PRESENTATION EVALUATION CRITERIA WORKSHEET

The following criteria will be used for scoring the interview/oral presentations:

<i>Presentation Evaluation Criteria</i>	Weight Factors	X	Max Points (0-10)	Weighted Score
<ul style="list-style-type: none"> Demonstrated knowledge of financing megaprojects. Demonstrated clear understanding of public and private financing mechanisms. Demonstrated understanding of the critical project success factors (identification of viable and feasible financing options, accurate and timely financial projections). Demonstrated evidence of prior project experience with challenges of this magnitude and complexity. Bidder's ability to integrate their ideas into the Authority's goals and objectives. Response to Evaluation Committee's questions pertaining to the presentation. Professionalism of presentation. 	20			

Evaluator's Subtotal (sum of weighted scores)		
Minimum Points Required to Pass Presentation (70%)	140	
Maximum Points Available for Presentation	200	

IV. EVALUATION PROCESS AND CRITERIA CONTINUED

Total Technical and Cost Evaluation Score - MAX 800		
Presentation - MAX 200		
Small / Micro Business Preference		
Non-Small Business Preference		
TOTAL SCORE (Technical Evaluation + Cost Evaluation + Presentation)		

PREFERENCE POINTS

A Bidder may qualify for non-technical preference points such as Small/Micro Small Business, Non-Small Business, and Disabled Veteran Business Enterprises (DVBE). Each qualifying Bidder passing the minimum technical evaluation will receive the applicable preference points.

Small / Microbusiness

Bidders who qualify as a State of California certified small business or who self-certify under the Federal Government statutes as a small business will receive five percent (5%) preference points based on the highest responsible bidder's total score, if the highest scored proposal is submitted by a business other than a certified small business. Bidders qualifying for this preference must submit their Small Business Certification.

Non-Small Business

Government Code Section 14838(b)(2) also provides for a non-small business preference. The preference to a non-small business bidder that commits to small business or micro-business subcontractor participation of twenty-five percent (25%) of its net bid price shall be up to a maximum of five percent (5%) of the highest responsive, responsible bidder's total score (RFP secondary). A non-small business, which qualifies for this preference, may not take an award away from a certified small business. The small business regulations are located at 2 CCR 1896 et seq. Bidders qualifying for this preference must document the small business status of all subcontractors and submit all applicable Small Business Certifications.

Disabled Veteran Business Enterprise

The DVBE program was established pursuant to Military & Veterans Code Section 999.5(2) and Department of General Services' Regulations 2 CCR 1896.98 et. seq.

To qualify for DVBE Participation Preference, a bidder must commit to DVBE subcontractor participation of three percent (3%) or more of its net bid price. Preference points are increased for five percent (5%) or more participation. For more information see Attachments 7 and 8.

V. Proposal Format, Required Documents, and Delivery

ABOUT THIS SECTION

This section contains the format requirements and instructions how to submit a proposal. The format is prescribed to assist the Bidder in meeting State bidding requirements and to enable the Authority to evaluate each proposal uniformly and fairly. Bidders must follow all Proposal format instructions, answer all questions, and supply all requested data.

REQUIRED FORMAT FOR A PROPOSAL

All proposals submitted under this RFP must be typed or printed using a standard 11-point font, singled-spaced and a blank line between paragraphs. Pages must be numbered and sections titled and printed back-to-back. Spiral or comb binding is preferred. Binders are discouraged.

NUMBER OF COPIES

Bidders must submit the original and 6 copies of the Administrative Response (Volume 1), and Technical and Cost Proposal (Volume 2).

Bidders must also submit electronic files of the proposal on [CD-ROM diskette](#) along with the paper submittal. Electronic files must be in Microsoft Word XP (.doc format) and Excel Office Suite formats. Electronic files submitted via e-mail will not be accepted.

PACKAGING AND LABELING

The original and copies of each volume must be labeled "Request for Proposal HSR10-34," and include the title of the proposal and the appropriate volume number:

Volume 1 – Administrative Response

Volume 2 – Technical and Cost Proposal

Include the following label information and deliver your proposal, in a sealed package:

Person's Name, Phone # Bidder's Name Street Address City, State, Zip Code FAX #	RFP #HSR10-34 California High Speed Rail Authority Contracts Office 925 L Street, Suite 1425 Sacramento, California 95814
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V. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY CONTINUED

PREFERRED METHOD FOR DELIVERY

A Bidder may deliver a proposal by:

- U. S. Mail
- Personally
- Courier service

Proposals must be received no later than 4:00 p.m. (PDT), April 18, 2011, to the Authority Contracts Office during normal business hours and prior to the date and time specified in this RFP. In accordance with Public Contract Code 10344, proposals received after the specified date and time are considered late and will not be accepted. There are no exceptions to this law. Postmark dates of mailing, E-mail and facsimile (FAX) transmissions are not accepted under any circumstances and are not acceptable toward meeting the submission deadline for proposal delivery.

ORGANIZE YOUR PROPOSAL AS FOLLOWS:

VOLUME 1, Administrative Response

- | | |
|---|---------------|
| • Cover Letter | |
| • Table of Contents | |
| • Contractor Status Form | Attachment 1 |
| • Darfur Contracting Act Form | Attachment 2 |
| • Small Business Preference Certification | If Applicable |
| • Contractor Certification Clauses | Attachment 4 |
| • Client References | Attachment 5 |

VOLUME 2, Technical Response

- Approach to Tasks in Scope of Work
- Team Organizational Structure
- Project Team Experience and Qualification
- Schedule of Tasks

VOLUME 2, Cost Bid

- | | |
|---|-----------|
| • Total Labor Costs for the project | Exhibit A |
| • Total Other Direct Costs for the project (i.e., Travel, etc.) | Exhibit A |
| • Labor Costs by Task | Exhibit A |
| • Other Direct Costs by Task (i.e., Travel, etc.) | Exhibit A |

V. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY CONTINUED

VOLUME 2, Technical Proposal

A. Approach / Methodology

The prospective Contractor/Team shall describe

1. The overall approach of the Financing Strategy,
2. Specific techniques that will be used,
3. Specific administrative, operational and management expertise that will be employed, and
4. The allocation of resources to various tasks as a percentage of the total budget.

B. Team Organizational Structure

The prospective Contractor/Team must have experience developing innovative financing programs for large infrastructure projects. The Contractor/Team must have knowledge of various funding alternatives needed to implement a project of this magnitude. The Contractor/Team must demonstrate their ability to develop dynamic financing models. The Contractor/Team must provide detailed descriptions and documented results of previous work and experience.

1. Describe the organizational structure of the Bidder, including an organizational chart of the entire contract team.
2. Identify the location of the Bidder's and Subcontractor's headquarters and satellite office(s) and proposed methods of minimizing costs to the State.
3. Provide a short description of each firm and key members of the team. Indicate any history of a working relationship between the team members noting any significant success stories
4. Describe the organization, composition, and functions to be performed by staff members of the Bidder and any subcontractors and how the staff pertains to this contract.
5. Identify a primary contact person. This person should attend the oral interview session. At least one person from each subcontractor should also attend the interview.

C. Project Team Experience and Qualifications

1. Describe the qualifications of all professional personnel to be employed, including a summary of similar work or studies performed, and a resume for each professional.
2. Include an estimate of how many hours each professional will be assigned to the contract and what tasks each professional will perform including subcontractor hours. The Contractor/Team shall not cause members of the project team to be substituted without prior approval of the Authority.

V. PROPOSAL FORMAT, REQUIRED DOCUMENTS, AND DELIVERY CONTINUED

D. Schedule of Tasks

1. The proposal shall contain a detailed schedule identifying major tasks to be undertaken to conduct the work, timeframe and deliverable due dates for each task.
2. The schedule shall specify the estimated hours to accomplish each task.
3. The schedule shall be in accordance with the milestones listed in the Scope of Work section.

E. Previous Work Products

Describe and provide at least one example of a similar financial analysis plan that demonstrates successfully completed relevant work by your organization or team.

F. Client References

Each bidder shall complete a Client Reference Form. Three references are required for the Contractor.

VOLUME 2, Cost Bid

The Contractor must submit cost bid information on Exhibit A, and will be deemed the equivalent of a formal bid submission under the Public Contract Code. Rates and personnel shown must reflect rates and personnel you would charge if you were chosen as the contractor for this RFP.

The Contractor must submit total costs of the project, with a detailed breakdown showing how the costs were determined as follows:

- 1) Identification of position/classification titles funded
- 2) Percentage of time devoted to the work
- 3) Loaded rate (including fringe and operating costs)
- 4) Travel and per diem expenses
- 5) Overhead or indirect expenses
- 6) Subcontractors with the same type of cost details
- 7) Other costs (if any)

NOTE: The cost information provided will **not** be kept confidential.

The cost information will become a part of the final contract. The entire term of the contract and projected rate increases must be considered when preparing the budget. The rates bid are considered capped and shall not change during the term of the contract. The Contractor shall only be reimbursed for their **actual** rates up to these rate caps.

VI. Administration

RFP DEFINED

The competitive method used for this procurement of services is a Request for Proposal (RFP). A Proposal submitted in response to this RFP will be scored and ranked based on the Evaluation Criteria. Every Proposal must establish in writing the Bidder's ability to perform the RFP tasks.

DEFINITION OF KEY WORDS

Important definitions for this RFP are presented below:

Word/Term	Definition
State	State of California
DGS	Department of General Services
Authority	California High Speed Rail Authority
RFP	Request for Proposal, this entire document
Proposal	Formal written response to this document from contractor
Bidder	Respondent to this RFP
ACM	Authority Contract Manager
DVBE	Disabled Veteran Business Enterprises

IMPORTANT ADMINISTRATIVE DETAILS

Cost of Developing Proposal

The Bidder is responsible for the cost of developing a proposal, and this cost cannot be charged to the State.

Errors

If a Bidder discovers any ambiguity, conflict, discrepancy, omission, or other error in the RFP, the Bidder shall immediately notify the Authority of such error in writing and request modification or clarification of the document. Modifications or clarifications will be given by written notice of all parties who requested the RFP, without divulging the source of the request for clarification. The Authority shall not be responsible for failure to correct errors.

Confidential Information

The Authority will not accept or retain any Proposals that are marked confidential in their entirety and Bidders are strongly discouraged from requesting confidential treatment for any of the information contained in a submittal.

DARFUR CONTRACTING ACT OF 2008

Effective January 1, 2009, all Requests for Proposals (RFP) must address the requirements of the Darfur Contracting Act of 2008 (Act). (Public Contract Code sections 10475, *et seq.*; Stats. 2008, Ch. 272). The Act was passed by the California Legislature and signed into law by the Governor to preclude State agencies generally from contracting with "scrutinized" companies that do business in the African nation of Sudan (of which the Darfur region is a part), for the reasons described in Public Contract Code section 10475.

A scrutinized company is a company doing business in Sudan as defined in Public Contract Code section 10476. Scrutinized companies are ineligible to, and cannot, bid on or submit a proposal for a contract with a State agency for goods or services. (Public Contract Code section 10477(a)).

Therefore, Public Contract Code section 10478 (a) requires a company that currently has (or within the previous three years has had) business activities or other operations outside of the United States to certify that it is not a "scrutinized" company when it submits a bid or proposal to a State agency. (See # 1 on Attachment 2).

A scrutinized company may still, however, submit a bid or proposal for a contract with a State agency for goods or services if the company first obtains permission from the Department of General Services (DGS) according to the criteria set forth in Public Contract Code section 10477(b). (See # 2 on Attachment 2).

LOSS LEADER

Per Public Contract Code 10302, (b) (1) "It is unlawful for any person engaged in business within this state to sell or use any article or product as a "loss leader" as defined in Section 17030 of the Business and Professions Code."

DISABLED VETERAN BUSINESS ENTERPRISES (DVBE) COMPLIANCE REQUIREMENTS

The Disabled Veteran Business Enterprise (DVBE) Program has two inter-related aspects:

DVBE Participation: The mandatory DVBE Participation Program of achieving participation goals by attaining the minimum 3% goal. See Attachment 8.

And,

Incentive: The DVBE Incentive Program gives a contractor an opportunity to improve their bid status based on the efforts attained from the DVBE Participation Program. See Attachment 7.

VI. ADMINISTRATION CONTINUED

This RFP is subject to a participation goal of three percent (3%) certified California Disabled Veteran Business Enterprise (DVBE) as set forth in Public Contract Code Section 10115 et seq. More information regarding DVBE and Small Business is located in Attachment 3.1.

RFP CANCELLATION AND AMENDMENTS

If it is in the State's best interest, the Authority reserves the right to do any of the following:

- Cancel this RFP;
- Amend this RFP as needed; or
- Reject any or all Proposals received in response to this RFP

If the RFP is amended, the Authority will send an addendum to all parties who requested the RFP.

Contract Amendment

This RFP may be amended to make changes, including without limitation; additional funds, additional time, additional or modified tasks, and additional or modified terms. Amendments may be made without competitively bidding, so long as the amendment is exempt from competitive bidding pursuant to Public Contract Code section 10335, Government Code section 11010.5 and the State Contract Manual.

Modifying or Withdrawal of Proposal

A Bidder may, by letter to the Contact Person at the Authority, withdraw or modify a submitted Proposal before the deadline to submit proposals. Proposals cannot be changed after that date and time. A Proposal cannot be "timed" to expire on a specific date. For example, a statement such as the following is non-responsive to the RFP: "This proposal and the cost estimate are valid for 60 days."

IMMATERIAL DEFECT

The Authority may waive any immaterial defect or deviation contained in a Bidder's proposal. The Authority's waiver shall in no way modify the proposal or excuse the successful Bidder from full compliance.

DISPOSITION OF BIDDER'S DOCUMENTS

On the Notice of Proposed Award posting date all proposals and related material submitted in response to this RFP become a part of the property of the State and public record. Bidders who want any work examples they submitted with their proposals returned to them shall make this request and provide either sufficient postage, or a Courier Charge Code to fund the cost of returning the examples.

VI. ADMINISTRATION CONTINUED

CONTRACT REQUIREMENTS

After Stage Two scoring the Notice of Proposed Awards (NOPA) will be posted for five (5) working days at the Authority's headquarters in Sacramento, and on the Authority's and the DGS' web site. In addition, each Bidder under this solicitation will be mailed a copy of the NOPA for this solicitation.

The Authority will not consider any changes to the Contract "terms and conditions" contained in this RFP. If, for any reason, a successful Bidder does not sign the Contract documents within the time allotted, the Authority may eliminate that Proposal from its award list and select the next highest ranked Proposal for funding from the rank order of eligible proposals under the Solicitation.

The content of this RFP shall be incorporated by reference into the final contract. See the sample Agreement terms and conditions included in this RFP.

No Contract Until Signed & Approved

No contract between the Authority and the successful Bidder is in effect until the contract is signed by the Contractor, and approved by the Department of General Services, Legal Office.

Audit

The Bureau of State Audits may audit a Contract awarded under this RFP up to a period of three years after the final payment or termination of the Contract.

Subcontractors

The Bidder must submit the information required in the Team Qualifications and Experience section of the proposal for all Subcontractors including DVBE subcontractors as well as the budget forms.

Unsuccessful Proposals

After the NOPA is posted, each unsuccessful Bidder may request a debriefing meeting with the Authority Contracts Office. The debriefing meeting is an opportunity for an unsuccessful Bidder to learn why their particular proposal was not successful and may provide insight to improving proposal preparation for future solicitations.

Award Payments and Invoicing

Award payments shall be subject to the following conditions:

Payments will be made on a reimbursement basis, after the recipient submits the appropriate invoice(s) to the Authority

VI. ADMINISTRATION CONTINUED

Ten percent (10%) of the contract amount will be withheld as retention until the final report is received from the Contractor and the Authority's Contract Manager determines the Project has been satisfactorily completed. Typically, the Authority withholds 10% from each invoice throughout the program period, and then the bidder submits a retention invoice once all contract deliverables have been satisfactorily completed.

All invoices must be submitted with a completed payment request form, as specified by the Authority, and accompanied by all backup documentation. The backup documentation must include copies of paid invoices and receipts detailing the specific equipment purchased, the services produced, and personnel time records where appropriate.

Authority staff must approve all invoices. Such approval is subject to the Contractor's acceptable submittal of the required progress reports, other specified products, and the appropriateness of the invoiced expenses under the contract.

BIDDERS' ADMONISHMENT

This RFP contains the instructions governing the requirements for a firm quotation to be submitted by interested Bidders, the format in which the technical information is to be submitted, the material to be included, the requirements which must be met to be eligible for consideration, and Bidder responsibilities. Bidders must take the responsibility to carefully read the entire RFP, ask appropriate questions in a timely manner, submit all required responses in a complete manner by the required date and time, make sure that all procedures and requirements of the RFP are followed and appropriately addressed, and carefully reread the entire RFP before submitting a proposal.

GROUND TO REJECT A PROPOSAL

A Proposal shall be rejected if:

- It is received after the exact time and date set for receipt of Proposal's pursuant to Public Contract Code, Section 10344.
- It is considered non-responsive to the California Disabled Veteran Business Enterprise participation requirements.
- It is lacking a properly executed Certification Clauses.
- It is lacking a properly executed Darfur Contracting Act
- It contains false or intentionally misleading statements or references which do not support an attribute or condition contended by the Bidder.
- The Proposal is intended to erroneously and fallaciously mislead the State in its evaluation of the Proposal and the attribute, condition, or capability is a requirement of this RFP.
- There is a conflict of interest as contained in Public Contract Code Sections 10410-10412 and/or 10365.5.
- It contains confidential information.

VI. ADMINISTRATION CONTINUED

A Proposal may be rejected if:

- It is not prepared in the mandatory format described.
- It is unsigned.
- The firm or individual has submitted multiple proposals for each task.
- It does not literally comply or contains caveats that conflict with the RFP and the variation or deviation is not material, or it is otherwise non-responsive.

PROTEST PROCEDURES

A Bidder may file a protest against the proposed awarding of a contract. Once a protest has been filed, contracts will not be awarded until either the protest is withdrawn, or the Authority cancels the RFP, or the Department of General Services decides the matter.

Please note the following:

- Protests are limited to the grounds contained in the California Public Contract Code Section 10345.
- During the five working days that the Notice of Proposed Award (NOPA) is posted, protests must be filed with the DGS Legal Office and the Authority Contracts Office.
- Within five days after filing the protest, the protesting Bidder must file with the DGS and the Authority Contracts Office a full and complete written statement specifying the grounds for the protest.
- If the protest is not withdrawn or the solicitation is not canceled, DGS will decide the matter. There may be a formal hearing conducted by a DGS hearing officer or there may be briefs prepared by the Bidder and the Authority for the DGS hearing officer consideration.

**EXHIBIT A
COST PROPOSAL FORMAT**

PART I:

TOTAL LABOR COSTS FOR THE PROJECT:

<u>EMPLOYEE CLASSIFICATION</u>	<u>PROJECTED HOURS</u>	x	<u>BILLING RATE</u>	=	<u>TOTAL</u>
	<u> </u>		<u> </u>		<u> </u>
	<u> </u>		<u> </u>		<u> </u>
	<u> </u>		<u> </u>		<u> </u>
Subtotal					<u> </u>

TOTAL OTHER DIRECT COSTS FOR THE PROJECT:

(Overhead or indirect costs, travel, etc.)

Subtotal

TOTAL COST:

PART II:

LABOR COSTS BY TASK:

<u>EMPLOYEE CLASSIFICATION</u>	<u>PROJECTED HOURS</u>	x	<u>BILLING RATE</u>	=	<u>TOTAL</u>
	<u> </u>		<u> </u>		<u> </u>
	<u> </u>		<u> </u>		<u> </u>
	<u> </u>		<u> </u>		<u> </u>
Subtotal					<u> </u>

TOTAL OTHER DIRECT COSTS BY TASK:

(Overhead or indirect costs, travel, etc.)

Subtotal

TOTAL COST: